

Panchayati Raj Institutions in India: Its Evolution and Development after Independence with Special Reference of 73rd Constitutional Amendment act 1992



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Abstract

This paper makes an attempt to examine the development of Panchayati raj institutions, after independence in 73rd constitutional Amendment Act 1992, which gave the constitutional status to the Panchayati Raj Institutions of India with special reference of constitutional amendment act. Panchayati raj is not a new phenomenon in the country. Its illustration in history goes back to more than 1000 years. The most fascinating factor stands that the people of India associated with the country with panchayati raj institutions, which helped them to yield the fruits for decades in the name of rural development. The most important factor regarding the development of Panchayati Raj Institutions in India is the 73rd constitutional Amendment Act 1992, which gave the constitutional status to the Panchayati Raj Institutions of India.

Keywords: Panchayati Raj, Gram Panchayats, Panchayat Samitis, Zila Parishad, Rural Development, 73rd Constitutional Amendment Act 1992, Committee, Democratic decentralization.

Introduction

The process of development of human being, he started living in group at the end of process development, evolution and socialization. But, there was a need of administration or control with the living in group. So need of administration or Government raised. Hence, It can be considered that, concept of Ganrajya or Local self Government developed as a part of it. The Panchayati Raj means a system of local self-government administered by a council or Panchayat duly elected in a democratic manner. It provides the administrative apparatus for implementation of the programs of rural development. Village is a basic unit of social as well as political life of in India. Since the earliest times, the village has been the centre of administration in India. Its importance was naturally emphasized in olden days when communications were slow and industrialization was unknown. The institution of local government has come down to us from ancient times. Local government institutions of various types were prospered in ancient India.

Objectives of the Study

1. To study about the Panchayati Raj Institutions of India after independence.
2. To study about 73rd constitutional Amendment Act 1992, which gave the constitutional status to the Panchayati Raj Institutions of India

Methodology of the Study

This Research Article is based on the secondary data collected from the secondary source i.e. published literature of the subject concern such as Books, Internet, Journals, published and unpublished documents, Reports, unpublished PhD thesis, newspapers etc.

Evolution of Panchayati Raj Institutions in India after independence

Balwant Rai Mehta Committee

The setting up of Panchayati Raj in the states of the Indian union was done on the basis of the recommendations of the Balwant Rai Mehta Committee which was setup by the government of India in January 1957. The chairman of this committee was Balwant Rai Mehta. In recommending Panchayati Raj at the rural level, the Mehta committee and the decision-makers were influenced by the historical factors and the Directive

Principles of state policy, mentioned in the constitution. However the committee submitted its report in November 1957 and recommended the establishment of the scheme of "democratic decentralisation" which ultimately came to be known as Panchayati Raj System. The specific recommendations made by the committee are:-

1. Establishment of a three-tier Panchayati Raj system- Gram Panchayat at the village level, Panchayat Samiti at the block level and Zilla Parishad at the district level.
2. The committee recommended direct elections of village Panchayats and indirect elections of Panchayat Samitis and Zila Parishads.
3. All planning and development activities should be entrusted to these bodies.
4. The Panchayat Samiti should be the executive body while the Zila Parishad should be the advisory, co-ordinating and supervisory body.
5. The district collector should be the chairman of the Zila Parishad.
6. There should be a genuine transfer of power and responsibility to these democratic bodies.
7. Adequate resources should be transferred to these bodies to enable them to discharge their functions and fulfill their liability.
8. A system should be evolved to effect further devolution of authority in future.

These recommendations of the committee were accepted by the National Development Council in January 1958 of this committee report. Government of India and the State Governments also took different move to strengthen the Panchayati Raj system existing at that time. It was with this aim the Balwant Rai Meheta Committee was appointed by the Central Government of India in 1957.

Ashok Mehta Committee (1977)

The functioning of Panchayati Raj institution in many states displayed that these institutions have been reduced to an extremely peripheral status efforts have been made to revitalize and revive these age-old Institutes, when the Janata Government came into power at the Centre in 1977, a fresh effort was made to put some vigour and vitality in to the Panchayati Raj system. The Ashok Mehta Committee was set up by the Janata Government in 1977 and it was inscribed as a golden era to concept and practice of Panchayati Raj system. The committee which submitted it's report in 1978, it had recommended the constitutionalisation of the Panchayaties, a two-tier system of Panchayaties at District and Mandal level representation of Scheduled Castes and Scheduled Tribes in the election of Panchayati Raj Institution on the basis of their population, four-year term for Panchayati Raj Institution non-interference of state in the functioning of Panchayati Raj Institution, participation of political parties in local body elections, planning by Zila Panchayaties by taking urban-rural continuum into consideration and compulsory powers of taxation. The committee had also suggested a draft constitutional amendment bill for awarding constitutional status to the Panchayaties. The main intention of the committee was to make Panchyatis as

political institutions instead of being mere developing agency. Two important Committees were appointed to look into local governments During 1980's.

The Committee of G.V.K Rao, 1985

In 1985 a 12 Member Committee was appointed under the Chairmanship of Dr. G.V.K. Rao for reviewing the administrative arrangement for rural development and eradication of poverty programmes.

L.M. Singhvi's Committee, 1986

In June 1986 the Government of India is appointed a 8 member committee under the headship of L.M. Singhvi to prepare a concept for discussion at a National Workshop to review the present status, growth and functions of the Panchayati Raj institutions and suggest remedies to make the better institutions effectively in the constructive task of rural development and nation building

Structure of Panchayati Raj Institutions in India

Panchayati Raj is a system of governance in which gram panchayats are the basic units of administration. Mahatma Gandhi advocated panchayati Raj, a decentralized form of government. It is the oldest system of local government in the Indian sub continent. This system was adopted by state governments during the 1950s and 60s as laws were passed to establish panchayats in various states. Panchayati Raj is a three-tier system- village as first level, block or janapad as second level and zila or district as the third level.



Panchayat Raj System

Image Courtesy: <http://www.rajeshitimane.com>

Village Level

It is the basic unit of Panchayats. It is generally a source of income. This unit of local government is called village panchayat. In the structure of the Panchayati Raj three tier system, the village panchayat is the lowest unit. The panchayat chiefly consists of characteristic elected by the people of the village. The panchayat as a body is accountable to the general body of the village known as Gram Sabha which meets at least twice a year and works for rural developments. The Gram Panchayat must present its budget, of the previous year and annual administrative report before the Gram Sabha. Furthermore

Block Level

It is known as Panchayat Samiti which consists of 20 to 60 villages depending on area . The

average In the structure of the Panchayati Raj three tier system Block or Union is the second or intermediate level of local self government in rural India. it is population under a Samiti is about 80,000, but the range is from 35,000 to 1,00,000. The main head of the Panchayat Samiti is the Pradhan, who is elected by an electoral college consists of all members of the panchayat Samiti and all the Panchas of the Gram Panchayat. The Up-pradhan is also elected in panchayat samiti. The Pradhan assemble the Panchayat Samiti meetings. He guides and manage the panchayats in making plans and carrying out production programmes. He ensures the accomplishment of the decision and resolutions of the Samiti and its standing committees.

District Level

The District / Zila Panchayat constitutes the apex body of the three-tier structure of the Panchayati Raj system. Generally, Zila Parishad are the presidents of all the Panchayat Samitis in the district, the members of the legislative assembly from the district and the members of the parliament representing the disitric. The Parishad is providing assistance and guidance for carrying out its development programs by the district collector and other government officials of the district. The Zila Parishad, for the most part, feature is co-ordinating and supervisory functions. It compeer the activities of the Panchayat Samiti falling within its jurisdiction. In certain states the Zila Parishad also approves the budgets of the Panchayat Samitis. The Zila Parishad also renders mandatory advice to the Government with regard to the implementation of the various development schemes. It is also responsible for the conservation of primary and secondary schools, hospitals, dispensaries, minor irrigation works etc.

73rd Amendment Act of 1992

In the general election that was held in 1991 no political party got a majority of seats. The congress, emerged as the single largest party in the Lok Sabha, formed the government like the preceding of V.P. Singh and Chandra Sekhar Ministries, P.V Narasimha Rao's Congress Government was also a minority one. It picked up the thread initiated by Rajiv Gandhi but consulted all the major political parties in the drafting of the bill this was know as the constitutional bill, 1991 which was subsequently referred to a Joint Select Committee of Parliament in December, 1991 for a detailed examination. The Joint Committee presented its report to Parliament in July. The Committee presented its report to Parliament in July, 1992. Wider range of consultations took place among the representatives of the different political parties and got the process of consensus, the constitutional (72nd Amendment) bill was finally passed unanimously in the Lok Sabha on 22nd December, 1992 and in the Rajya Sabha on the 23rd December, 1992. After ratification by 17 State Assemblies, including West Bengal and Bihar both opposition and ruling states, the President of India gave his assent to the Bill on April 20, 1993 and it became the 73rd Constitutional Amendment Act. Through a Gazette notification, the Act was brought into force with effect from April 24,1993.

Role of 73rd Constitutional Amendment Act which gave the constitutional status to the Panchayati Raj Institutions of india

Let us have a look at the salient features of the recent legislation regarding Panchayati Raj come into force through the 73rd Constitutional Amendment. These are as follows.

1. Uniformly, a three-tier system of Panchayati Raj institutions should be introduced.
2. Direct elections should be held at the village level for the Gram Panchayati, and indirect elections at the block and district levels should be held.
3. Elected chair person of a Gram Panchayati can be removed by Gram Sabha with a two-third majority of the members presented in the meeting and having presence of at least 50 per cent members of the Gram Sabha.
4. Seats for Scheduled Castes and Scheduled Tribes will be reserved separately.
5. One-Third of the seats will be reserved for women.
6. Panchayati Raj institutions should have duration of five years.
7. Disqualification for members of Panchayati Raj institutions will be similar to the method adopted in connection with the disqualification for members of Parliament and State Legislatures.
8. Chairpersonship is reserved for Scheduled Castes and Scheduled Tribes based/depend on/upon their population. Reservation will be made also for women to get chairpersonship for panchayaties.
9. Minimum age for a person, who intends to hold an office in the Panchayati Raj institution, is fixed at 21 years.
10. Elections in the Panchayati Raj Institutions are held under the direction of the Chief Electoral Officer of State Hyderabad and the Chief Election Commissioner (CEC), New Delhi.
11. Panchayati Raj Institutions will have powers, authority and responsibilities to function as instruments of self-government. Plans for economic development and social justice and schemes for their implementation may be prepared by the Panchayati Raj Institutions.
12. Panchayati Raj Institution will have power to impose taxes, duties, tolls and fees to raise funds for development programmes.
13. The State would constitute a Financial Commission to review the position of the Panchayaties, and
14. Necessary legal safeguards will be provided for smooth functioning of the Panchayati Raj Institutions.

These provisions have been necessitated since the Panchayati Raj Institute have become weak and ineffective due to various reasons. Regular elections have not been held, Scheduled Castes, Scheduled Tribes and women have not been given adequate representation. Financial resources have been insufficient and they have not been endowed with powers and responsibilities completely. After the decade of 73rd and 74th Constitutional Amendments

seeking more financial and administrative powers for the Panchayati Raj Institutions were passed in the Parliament, 12 States and Union Territories are yet to constitute the District Planning Committees- the Central Bodies that will ensure devolution of power for 29 Subjects of the grassroots under 11th Schedule of the Indian Constitution.

Conclusion

Here we conclude that the Panchayati Raj System was established on the recommendations of Balwant Rai Mehta Committee as per the Directive Principles of the State Policy. Uniformly, a three-tier system of Panchayati Raj institutions should be introduced. It also becomes necessary here to mention here that the 73rd Amendment of Indian Constitution was really the great historical Amendment regarding the Panchayati Raj System. Through this Amendment the Panchayati Raj System became a proper system (a body with soul). After the implementation of Panchayati Raj System in some States, it shows a rapid progress as well as developments especially in the socio-economic field. At last the development at rural/village level became possible, especially for far-flung areas. Nowadays the Central Government grant lot of funds under the Panchayat head, because the proper utilization of funds at rural level is only possible through the Local Self Government and a common person got benefited.

References

1. Maheswari, B (1963), *Studies in Panchayati Raj*, Metropolitan Book Company, New Delhi
2. Mishra Sweta (1998), *Women and the 73rd Constitution Amendment Act, A Critical Appraisal*

3. Singh Samsher Malik (2002), *The New Panchayati Raj, Rural Trafo ration in the State of Haryana*, Aalekh Publication, Jaipur, p p. 4-5
4. Ghosh Rathna (1999), *Panchayati System in India. Historical and Constitutional Perspective*, in Rathna Ghosh (ed), *Panchayati System in India. Historical, Constitutional and Financial Analysis*, Kanishka Publishers, New Delhi, pp.215 -216.
5. Sanghvi L. M. (1986), *Report of the Committee on Revitalization of Panchayati Raj institutions chairman*, Government of India, Delhi.
6. Dutta lakhimi (,January 2014), *Panchayati Raj- Three tier system in india*, Kurukshetra, A Journal of rural development, vol-62, no. 3, page 3-6
7. Barthwal, C.P. and Kishore Kumkum (2003), *Public Administration in India : Current Perspectives*, A.P.H. Publishing corporation, , New Delhi, p. 180.
8. Sharma, K.L. (September 1994), *Panchayati Raj An Experiment in Empowerment of the Rural People*, Kurukshetra , Vol.XXI, No.4, p. 37.
9. Mantoo Ahmad and Bhat Paryaz (August 2017), *Historical Review of Panchayati raj institutions in india*, International journal of Research, vol. 04
10. <http://www.mitrasiyas.com/evolution-of-panchayati-raj>.
11. Mahipal (aug 2004), *From Raj Governance to Swaraj Government : Progress, Performance and Perspective*, Kurukshetra,(Jou), Vol. No., p. 6.